

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

NEXUS DISPLAY TECHNOLOGIES, LLC.

Plaintiff,

v.

DELL INC.,

Defendant.

Case No. 2:14-cv-00762-RWS

**SUPPLEMENTAL DECLARATION OF JEFFREY THELEN IN SUPPORT OF
DEFENDANT DELL INC.'S REPLY BRIEF**

I, Jeffrey Thelen, declare as follows:

1. I am over 18 years old, of sound mind, and I am capable of making this declaration. I submit this supplemental declaration in support of the Reply Brief Of Defendant Dell Inc. ("Dell") In Support Of Its Motion To Transfer.
2. As I noted in my previous declaration, I have been employed by Dell since 1997. I am an engineer by training and experience. I presently work on the design of computer servers. I previously worked on the design of computer displays. In that capacity, I was an engineer and a technologist for displays.
3. I have first-hand knowledge of the matters stated herein or have reviewed documents prepared and maintained by Dell in the ordinary course of its business or have conferred with other Dell employees. If called as a witness, I could and would testify as to the same.
4. I have reviewed preliminary financial information for sales of some of the

accused products. Dell sold accused products to customers in the Central District of California, including but not limited to Los Angeles, Beverly Hills, West Hollywood, and Newport Beach, California. Dell also maintains a place of business in the Central District of California, namely Orange County, California.

5. As I described in my previous declaration, Dell purchases the accused components from third party suppliers. They, not Dell, understand the technical and implementation details of the DisplayPort functionality of those components. They do not share their proprietary, confidential technical specifications of the components with Dell.

6. I understand that after Dell filed its Motion to Transfer and my deposition in this case, Plaintiff opposed Dell's motion partly on the basis that Dell failed to specifically identify the names of third party witnesses employed by Dell's suppliers of video and graphics cards who are knowledgeable about the components Dell purchases from them. Dell does not employ these people and does not necessarily know who works on these video and graphics cards at these suppliers. Moreover, Dell has no control over them. Dell has made some inquiries and has been informed by its suppliers that the following persons who are not under the control of Dell have extensive knowledge regarding the accused technology and, as a result, they are likely witnesses regarding the technical aspects of the accused products from whom Dell expects to seek testimony:

- i. Todd Witter, an Intel employee located in Intel's Folsom, California facility has knowledge regarding the design, operation, and specifications of the accused components Intel supplies to Dell;

- ii. Pablo Ortega, Nvidia's Display Technical Marketing Manager, located in Nvidia's Santa Clara, California facility, has knowledge regarding the design, operation, and specifications of the accused components NVIDIA supplies to Dell; and
 - iii. AMD employee, Jim Hunkins, has relevant knowledge about the development of AMD's accused products and is in Canada. Mr. Hunkins regularly travels to California for his work, but not to Texas, and no relevant AMD employees are located in Texas.
- 7. None of these third parties has design or manufacturing facilities for DisplayPort products in the Eastern District of Texas.
 - 8. In addition, other key third party witnesses knowledgeable about the accused receiver components that Dell purchases are located in California and Asia, not Texas.
 - 9. For example, I have worked on DisplayPort technology with numerous ST Micro employees located in California. In contrast, I have not worked on DisplayPort technology with any ST Micro employees located in Texas.
 - 10. I have been informed by Dell personnel in Singapore that both RealTek's and MStar's design centers for the receivers supplied to Dell are located in Taiwan.
 - 11. To the best of my knowledge, Dell does not work on the accused technology or DisplayPort functionality with any Texas-based employees of any third party suppliers.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this declaration was executed on April 23, 2015.

A handwritten signature in black ink, appearing to read "Jeffrey Thelen", written over a horizontal line.

Jeffrey Thelen